

***United States Court of Appeals
for the Second Circuit***



EXHIBITS

75-7148 MAR 17 1975

UNITED STATES COURT OF APPEALS-----
SECOND CIRCUIT

75-7148

Bp/s

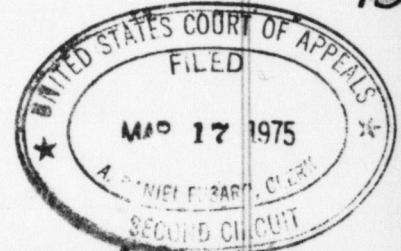
Anthony Bamond Jr., and Mildred Bamond, and
Christopher Bamond, as Defant by his parent,
Anthony Bamond Jr.,

Petitioner,

V

Solicitor General, Department of Justice, and
Commissioner of Internal Revenue and/or his
Agents,

Respondent.



exhibits

ON DECEMBER 05, 1973- the Petitioners finally had their
complaint accepted and docketed- UNITED STATES DISTRICT COURT
for the SOUTHERN DISTRICT OF NEW YORK, No. 73-CIV-5155-(LWP)
..... on their Preservation for the Freedoms.

THEY HAD BEEN ASSESSED, by the Internal Revenue Service,
for Income Tax Liability for the year of 1970... Petitioners
were sent Letter of Deficiency, Certified Mail No. 30251,
dated October 19, 1972. Petitioners answered that Notice,
no copies for the record, and sent a 2nd request: Certified
Mail No. 108465, from New Paltz, New York, Received on Return
Receipt Requested on October 30, 1972...With the following
endorsement at bottom of photo copy of above letter.....

" October 25, 1972:

Dear Sir,

I would like it entered to the record, I asked for form
Amend 1970 Tax.

In 1966-Amended Tax Form was sent, as requested, with some
credit to that year. Wages were then attached with penalty.

(Signed) A. Bamond, "

Marked hereto as Exhibit No. 2, and Exhibit No. 3

Petitioners feel that, Internal Revenue Service has used the Mails for Fraudulent Purposes, as they have not honored the request as stated in their third paragraph.

AS they had not received an answer on the request of October 25, 1972- Petitioners filed notice with United States Tax Court Docket No. 847-73. only to have it dismissed due to the petition not filed within the time prescribed by Law, on letter from United States Tax Court, dated June 12, 1973 by Chief Judge- Marked hereto as Exhibit No. 4.

Petitioners feel, that if the attorney for Internal Revenue Service "MOTION TO DISMISS FOR LACK OF JURISDICTION", filed on April 3, 1973 - Marked hereto as Exhibit No. 5, Exhibit No.6 and Exhibit No. 7. Petitioners feel that the following notice:

"STATEMENT OF ADJUSTMENT TO YOUR ACCOUNT"

dated March 12, 1973 of

ADJUSTMENT COMPUTATION		
TAX-INCREASE		804.85
INTEREST CHARGE		91.84
NET ADJUSTMENT	CHARGE	<u>\$ 896.69</u>

Marked hereto as Exhibit No. 8.

Petitioners feel that the provisions of the adjustments are in violation of Sec. 6213. Restrictions Applicable to Deficiencies: Petitions to Tax Court, as the attorney for the Internal Revenue Service had not filed his "MOTION TO DISMISS FOR LACK OF JURISDICTION" prior to that time.

Petitioners feel that the provisions of Sec. 6213. Restrictions

Applicable to Deficiencies; Petitions to Tax Court have been violated as Notice, dated, April 09, 1973, TAX STATEMENT Marked hereto as Exhibit 9, and Notice, dated, April 09, 1973 of Your Overpayment to IRS- Portion of your overpayment was applied to unpaid accounts. \$ 238.43, is also in violation to Sec. 6213, Restrictions Applicable to Deficiencies; Petitions to Tax Court. Marked hereto as Exhibit No. 10. Petitioners also received Notice, dated April 30, 1973 of PAYMENT OVERDUE

Assessment Balance	658.26
Late Payment Penalty	6.85
Interest Accured	5.99
Amount Due	<u>\$ 671.10</u>

which we feel violated Sec. 6213. Restrictions Applicable to Deficiencies; Petitions to Tax Court. Marked hereto as Exhibit No. 11.

Petitioners also received Notice, dated July 02, 1973

TAX LIBILITY

Unpaid Balance of Assessments	658.26
Interest Accured to 07-02-73	11.84
Late Payment Penalty 07-02-73	12.32
Total Due	<u>\$ 682.63</u>

which we feel violated Sec. 6213. Restrictions Applicable to Deficiencies; Petitions to Tax Court. Marked hereto as Exhibit No. 12.

Petitioners also received Notice, dated July 19, 1973

FINAL NOTICE BEFORE SEIZURE

Tax Balance	658.26
Penalty	15.35
Interest Accured	14.67
Amount due	<u>\$ 688.28</u>

Marked hereto as Exhibit No. 13.

Petitioners were sent letter, dated August 15, 1973 from State Of New York, Department of Audit and Control of wages of August 22, 1973 pay period, attached due to Federal Levy of \$ 393.52. Marked hereto as Exhibit No. 14, and NOTICE of Levy, dated August 14, 1973, Marked hereto as Exhibit No. 15. Petitioners also received Notice, dated October 23, 1973
FINAL NOTICE BEFORE SEIZURE

Tax Balance	264.74
Penalty	19.91 + 6.00
Interest Accured	18.83
Amount Due	\$ 309.48

Marked hereto as Exhibit No. 16.

Petitioners were sent letter, dated November 13, 1973 from State of New York, Department of Audit and Control of wages of November 14, 1973 pay period, attached due to Federal levy of \$ 257.25. Marked hereto as Exhibit No. 17, and Notice of Levy, dated November 07, 1973, Marked hereto as Exhibit No. 18.

Petitioners were sent letter, from United States Tax Court, dated September 19, 1973, Docket No. 847-73 of the Courts order became final on September 12, 1973. Marked hereto as Exhibit No. 19. Petitioners feel that the Internal Revenue Service, and it is argumentive, had until after the Tax Court findings became final, as stated in Sec. 6213. Restrictions Applicable to Deficiencies; Petitions to Tax Court.

Petitioners feel that the Internal Revenue Service has no

authority to issue letter of deficiency, as the provisions of the Constitution of the United States of America, Amendment V, Rights of Accused Persons (1791) in regard to last sentence "nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." Petitioners feel that the Checks and balances of Government, prohibit one department to be, LEGISLATIVE, EXECUTIVE, AND JUDICIAL. Petitioners feel that in the process of sending "Letters of Deficiency," thru the postal services can very easily be obtained thru the proper department, the JUDICIAL, namely the United States Tax Courts.

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Governmental Agencies, under the gist of national security have abused their powers, for example in wire tapping. Only with the Courts and the Courts alone can any Governmental Agency receive approval, and only for a limited time for such a restriction of freedoms.

Petitioners feel that their Tax Refunds were unlawfully siezed, Petitioners feel that their Wages were unlawfully seized, and claim just compensation for the violation of freedoms, caused by Government Powers, eg- Internal Revenue Services. Your Honor we are honest taxpayers, who plead for "Our Day in the Courts", the abuses we have suffered, the humility we have suffered cannot be measured by any amount of compensation.

2 The 90-day period for timely filing the petition

In today's troubled times, to have a President, and Vice-President resign within a year... and to not have the proper blessing of the voters, an appointed President, and Vice-President, your Honor the American People are being denied the Freedoms due to the Marriage of the LEGISLATIVE DEPARTMENT to the EXECUTIVE DEPARTMENT thru their obligations to their Political Parties.

Petitioners feel, that the former President, and Vice-President, were not in "A State of Grace," upon the state of oath to defend, especially the Constitution of the United States of America, and the Laws of the Land- before God, who had not told the truth, are in violation of the very oath they have sworn to uphold. Therefore we feel that they administered "A Fraudulent Oath of Office," and any appointment made to be null and void. Especially appointing a Vice-President, in the shadow of collusion, upon retirement of the former President, for possible "Pardon," is quite hard to understand.

Your Honor, we feel to aggrandize our complaint, will, which the record will prove is just, and justice is all we ask. Petitioners think it appropriate to show unto the Courts, the following, FMA Focus, September, 1974, Volume 8, No. 1, which we quote: With the Courts permission, and to show our true feelings in our pleadings for the Preservation of the Freedoms, in today's troubled times.....

" TO EACH HIS DUE

" Justice" has many meanings: the administration of law; fair settlement of conflicting claims; just dealings and right actions; conformity to truth or reason; spiritual uprightness and holiness.

Justice also means- which I want to consider here- rendering to each his due.

In the first place, to God Himself, who created and redeemed us. To Him we owe adoration, love, loyalty, and gratitude, the tribute of all that we are and have. He is our absolute Master and Lord..

"The sacred rights of man," to quote the American statesman Alexander Hamilton, "are written, as with a sunbeam, in the whole volume of human nature by the hand of Divinity Itself and can never be erased." We practice justice when we respect those rights in our dealings with fellow human beings.

Justice also belongs in the little selfcontained world of the " I ". We want fair treatment, an unblemished reputation, consideration for our human dignity, and all the other rights which our Maker endowed us. If we don't respect our rights, how can we expect others to respect them?

The great commandment of love of God, others, and self involves the respect of everyone's rights. To each his due. "

On April 27, 1974 Petitioners Amendement to Complaint, which informed the Court of: "FINAL NOTICE BEFORE SEIZURE" dated January 07, 1974: Hereto Marked Exhibit No. 20

Tax Balance	.7.49
Penalty	19.91
Intrest	19.09
Amount Due	\$ 46.49 + 6.00 Lien Fee= \$ 52.49

Petitioners feel we have been violated in this as Amendment V has been denied us, at the very period of pending complaint in United States District Court-Southern District of New York,

Petitioners were directed to appear United States District Court, Southern District of New York-Docket No. 73-CIV-5155 (LWP) on May 07, 1974, at great expense. We were informed by the Honorable Lawrence W. Pierce, that the attorney for defendants, William G. Ballaine, Esq will file papers for "MOTION FOR DISSMISSAL" for failure to file an administrative claim for refund of Taxes Unlawfully Seized. The papers were to be presented to the Courts, on May 17, 1974. We informed his Honor of our exception of the delay, as the attorney, William G. Ballaine, esq, has had three (3) applications for enlargment of time to answer complaint.

Petitioners agreed for Stipulation from May 17, 1974 to June 2, 1974, as requested by the attorney, William G. Ballaine, Esq. Petitioners also stipulated for his request of June 2, 1974 to June 24, 1974, for extension of time. Petitioners also agreed to June 24, 1974 to July 24, 1974,

1.000.32
Correct Tax

Petitioners cannot quite understand, when the Stipulation of June 24, 1974 to September 12, 1974, for a further time extension to answer complaint. Petitioners did file a Administrative Claim. for 1966, 1970, and 1972. Marked hereto as Exhibit No. 21. Petitioners feel that Administrative Claim cannot be properly processed, as we again contend, our property was unlawfully seized, as it violated Sec. 6213. Restrictions Applicable to Deficiencies; Petitions to Tax Court, and the provisions of the Fifth Amendment of the Constitution of the United States of America.

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On September 12, 1974, Petitioners were before the Court, at a great expense again, we were not given the "MOTION to DISMISS" at that time, we received them thru the mail on September 16, 1974, and returnable September 26, 1974. Which allows Petitioners nine(9) days to answer the Motion and the Memorandum, Petitioners take exception that the defendants had 280 days to answer the complaint, and have a complete and qualified staff. We feel that the "BOOK" was thrown at us. We did not attempt to challenge the cases cited in his Motion or Memorandum. Your Honor, we are laymen to law procedures, only armed with the shield of the Constitution of the United States of America, and have a limited amount of common sense. "They can't do that to us," I told a correction officer, at GreenHaven Correctional Facility, regarding the unlawfull seizures of Tax Refund, and Wages. They did it and I still can't believe it. The four years that I worked

with the belief that the inmates were given a fair and just "TRIAL" some joke.... If the Internal Revenue Service can do this to us, the Preservation of the Freedoms is in danger.

There is a two JUSTICE system in this country, one for the rich, and one for the poor. We experienced it in the findings of the former President, and Vice-President. Your Honor we feel that a taxpayer revolution will be upon us at the very same time we are scheduled to celebrate our "200th Anniversary" of this wonderful country, history repeats itself and it will be appropriate at that time, my God should it happen.

STATE OF NEW YORK
COUNTY OF ULSTER
SS:

10
Anthony Bamond Jr., and Mildred Bamond, residing at P. O. Box 234, South Street, Clintondale, Ulster County, New York 12515: being duly sworn, deposes and says:

We are Citizens of the United States of America, by birth, as such we have primary responsibility of the inheritance we hold in trust from our founding fathers. We make this affidavit in support of the responsibility of the Constitution of the United States of America, and the Laws of the land, and as citizens plead with the Court for any form of justice that the Court may deem just and proper, in today's troubled times....

Our pleadings consists of THIRTEEN (13) pages, and to the best of our knowledge and believe is a true statement. Ten pages Preliminary, and Three (3) Pages OBJECTION TO PRESENT INCOME TAX LAWS.

Dated: MARCH 13, 1975

Anthony Bamond Jr.
Anthony Bamond Jr.

Mildred Bamond
Mildred Bamond

Sworn to me before 13th day of MARCH 1975.

Antoinette B. Cafaro
NOTARY

ANTHONY BAMOND, JR.
P. O. Box 234
Clintondale, N. Y. 12515

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Antoinette B. Cafaro
Notary Public in the State of New York
in and for Ulster County
Commission expires Mar. 30, 1975

(2)

OBJECTION TO PRESENT INCOME TAX LAWS

Anthony Bamond Jr., And Mildred Bamond, residing at P. O. Box 234, South Street, Clintondale, Ulster County, New York 12515
HEREBY pleads with the Justices of the United States Supreme Court.
IN SUPPORT HEREON:

Petitioners feel that the time has come, to turn to the Constitution of the United States, to protest the discriminative practices of:

Legislative Department

Executive Department

regarding:

Amendment XVI Income Tax (1913)

Petitioners Object to:

1. Increased taxation to a level of optimum proportions, by Federal, State, and Local Governments.

Petitioners, are reluctant to cite:

Section 4 - Federal Protection for States- re: against domestic violence:

a) Petitioners feel, with the trend, in today's troubled times that a taxpayer revolution is not far from the horizon. Today in the larger cities, the silent majority, with the cry of proper protection of their life and property are slowly taking any outlet upon infringement of their rights under the protection of the Laws and the Constitution of the United States.

With knowledge, some with personal experience, of the protection of the Courts, by unknown parties to undermine the Constitution of the United States, through elongated petitions of the rights of the "Accused".

Justice has been offset, when unaccountable funds are available to the "Accused" vs a limited amount of funds of the victim.

THEREFORE:

2. Petitioners pleads for some equalization, in the Constitution of the United States. We feel that the Legislative Department, with their Committee's, sub Committie's, etc pressured by big business lobbyist's and the Executive Department, with the help of unlimited funds to elect a member who will benefit the contributor.

Petitioners also cannot understand the Position of the Executive Department has today regarding a further increase in the sur tax. With the Great Corporations not paying their fair share, and the Ludicrous Taxpayer of unlimited income, protected by present favorable tax shelters.

Petitioners Object; that the Provisions of Judicial Practice, regarding the Judicial Department, must be submitted by petition to the "Courts".

3. Petitioners Object; to Article III of the Constitution of the United States, of the consumable time, and monies involved. Just the prescribed procedures of the Judicial Department eg: Printed Copies of Petition (sometimes sixty copies require) are in itself a financial burden.

4. Petitioners object; to the perpetual interpretation of the "Rights", under the Constitution of the United States between the Executive and Legislative Departments. Meanwhile, " Who is minding the Store" (Protecting the Constitution of the United States) while a cancerous growth is upon the Constitution by way of petitions of "Accused". We don't object to the petitions of the " Accused", we object to the frequency of them. eg Should a petition be filed, frequently regarding discrimination in Civil Service Positions. Should a candidate be declared eligible without being a State Resident or Citizen?

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There we have an open door to the Subversives, with the aid of the " Courts", being funded by the taxpayers.

5. Petitioners feel the same conditions prevail with the Governments monopoly in the control of Food Products, from the supplier, transporter, and distribution of surplus stockpiles. Taxpayer has been denied the right to purchase what he has already indirectly paid for in one or another form of Taxes. Taxpayer is further being exploited by being assessed higher costs for the products deliberately made unavailable, eg; The 20 Million Tons of wheat - thus spiraling food prices, wages, and manufactured products causing an inflation.

Government now proposes additional tax surcharge to combat a condition they have created themselves. The silent majority, will move slowly and, eventually will revolt to these conditions.

6. Petitioners feel that there should be some protection of Article III - Judicial Department to safeguard the "Preamble " to the Constitution of the United States, set down by the Founding Fathers. The people should request, a Constitution "Review" board of all laws passed by Legislative and Executive Departments, and not leave it up to the people to petition the Courts.

We have a responsibility to Americans, past, present, and future by our involuntary inheritance from our founding fathers.

WHEREFORE, it is prayed that this plead be granted.

Anthony Bamond Jr. SEP 13 1973
Anthony Bamond Jr. date

Mildred Bamond SEP 13 1973
Mildred Bamond date

- 3 -

070-18-1879 099-14-5279
Anthony & Mildred BAMOND
P.O.Box 234 South Street
Clintondale, N. Y. 12515

ANTHONY BAMOND, JR.
P. O. Box 234
Clintondale, N. Y. 12515

070-18-1879 099-14-5279
Anthony & Mildred BAMOND
P.O.Box 234, South Street
Clintondale, N.Y. 12515

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Contents of United States District Court- Southern District of New York		Exhibit No. 1	N/A
Photo Copy, IRS Letter of Deficiency, dated October 19, 1972		Exhibit No. 2	Page 1
Photo Copy, CERTIFIED MAIL No. 108465, & Ret., Rec., Requested,		Exhibit No. 3	Page 2
Photo Copy, U.S.Tax Court, Letter of June 12, 1973		Exhibit No. 4	Page 3
Photo Copy, U.S.Tax Court, Docket 847-73 Respondents Motion to Dis.		Exhibit No. 5	Page 4
Photo Copy, of above-Page No. 2		Exhibit No. 6	Page 5
Photo Copy, of above-Certified Mail log		Exhibit No. 7	Page 6
Photo Copy, Statement of Adjustments		Exhibit No. 8	Page 7
Photo Copy, Tax Statement		Exhibit No. 9	Page 8
Photo Copy, Overpayment applied to		Exhibit No.10	Page 9
Photo Copy, Payment Overdue		Exhibit No.11	Page 10
Photo Copy, Tax Liability		Exhibit No.12	Page 11
Photo Copy, Final Notice Before Seizure		Exhibit No.13	Page 12
Photo Copy, State of N.Y. Dept.of Audit and Control, Aug 15, 1973,		Exhibit No.14	Page 13
Photo Copy, Notice of Levy Aug 14, 1973		Exhibit No.15	Page 14
Photo Copy, Final Notice Before Seizure		Exhibit No.16	Page 15
Photo Copy, State of N.Y. Dept of Audit And Control, Nov 13, 1973		Exhibit No.17	Page 16

070-18-1879 099-14-5279
Anthony & Mildred BAMOND
P.O.Box 234, South Street
Clintondale, N.Y. 12515

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Photo Copy, Notice of Levy Nov 07, 1973	Exhibit No. 18	Page 17
Photo Copy, U.S. Tax Court-Letter of Sept 19, 1973	Exhibit No. 19	Page 18
Photo Copy, Final Notice Before Seizure	Exhibit No. 20	Page 19
Photo Copy, State of N.Y. Dept of Audit and Control,	Exhibit No. 20a	Page 20
Photo Copy, Notice of Levy, Jan 29, 1974	Exhibit No. 20b	Page 21
Photo Copy, IRS, Claim form 843-1970 Taxes illegally seized	Exhibit No. 21	Page 22
Photo Copy, IRS, Claim for 843-1972 Taxes illegally seized	Exhibit No. 21a	Page 23

Tax Year Ended

12/31/70

Deficiency

\$804.85

EXHIBIT-2

Dear Mr. & Mrs. Bamond:

This letter is to notify you—as required by law—that we have determined the income tax deficiencies shown above. I regret we have been unable to reach a satisfactory agreement in your case. The enclosed statement shows how the deficiencies were computed.

If you do not intend to contest this determination in the United States Tax Court, please sign and return the enclosed Short-Form Statutory Notice Statement. This will permit an early assessment of the deficiencies and limit the accumulation of interest. The enclosed self-addressed envelope is for your convenience.

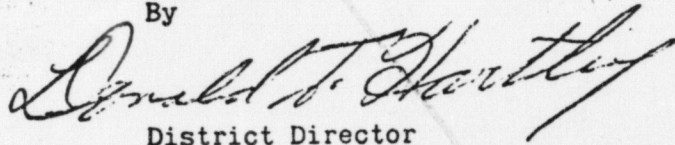
If you decide not to sign and return the statement, the law requires that after 90 days from the date of mailing this letter (150 days if this letter is addressed to you outside the United States and the District of Columbia) we assess and bill you for the deficiencies. However, if within the time stated you contest this determination by filing a petition with the United States Tax Court, Box 70, Washington, D.C. 20044, we may not assess any deficiencies and bill you until after the Tax Court has decided your case. The time in which you may file a petition with the Court (90 or 150 days, as the case may be) is fixed by law, and the Court cannot consider your case if your petition is filed late.

Under section 7463 of the Internal Revenue Code, the United States Tax Court has a simplified procedure for handling cases where the disputed portion of the deficiency does not exceed \$1,000 for any one taxable year. You may obtain information on this special procedure, as well as a copy of the rules for filing a petition with the Tax Court, by writing to the Clerk of the Tax Court at the Court's Washington, D.C. address.

Sincerely yours,

Johnnie M. Walters
Commissioner

By



District Director

Enclosures:
Statement

Form 1-21R (Rev. 10-70)

OCT. 25. 1972

DEAR SIR.

I WOULD LIKE IT ENTERED TO THE RECORD
I ASKED FORM - AMENDED 1970 TAX.

IN 1966 - AMENDED TAX FORM WAS
SENT AS REQUESTED, WITH SOME CREDITS
TO THAT YEAR. NOTES WERE THEN PREPARED
ATTACHED WITH RETURN

No. 108465

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO <i>DISTRICT DIRECTOR, IRS</i>		POSTMARK OR DATE <i>NEW PALM N. OCT 26 1972</i>
STREET AND NO. <i>AUDIT REVIEW STAFF</i>		
P.O., STATE AND ZIP CODE <i>P.O. Box 1387 - ALBANY N.Y. 12201</i>		
OPTIONAL SERVICES FOR ADDITIONAL FEES		
RETURN	1. Shows to whom and date delivered	15¢
RECEIPT	With delivery to addressee only	65¢
SERVICES	2. Shows to whom, date and where delivered	35¢
DELIVER TO ADDRESSEE ONLY	With delivery to addressee only	85¢
SPECIAL DELIVERY (extra fee required)		50¢
PS Form 3800 Apr. 1971		NO INSURANCE COVERAGE PROVIDED— (See other side) NOT FOR INTERNATIONAL MAIL. * GPO : 1972 O - 460-743

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

108465

Director of Internal Revenue

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

OCT 30 1972

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

EXHIBIT 3

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CLERK OF THE COURT

UNITED STATES TAX COURT

WASHINGTON

June 12, 1973

Mr. and Mrs. Anthony Bamond, Jr.
P. O. Box 234
Clintondale, New York 12515

In re: Anthony Bamond, Jr. and Mildred Bamond
Docket No. 847-73 S

Dear Mr. and Mrs. Bamond:

With this letter there is transmitted and served upon you a copy of the Court's order entered by the Chief Judge, which grants the Government's motion to dismiss your case because the petition was not filed within the time prescribed by law.

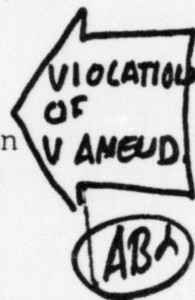
The Chief Judge has asked me to explain to you why this has to be done. The law is very specific on the point that in order to give the Tax Court jurisdiction of a case a petition must be filed with the Tax Court during the 90-day period which begins with the date the notice of deficiency is mailed to the taxpayer (which is usually the date that appears on the notice of deficiency); or if the petition is received by mail after the 90-day period, it must be in an envelope bearing a postmark date that is within the 90-day period. The law does not permit any extension of the 90-day period. Thus where, as in your case, a petition is not received and filed within the 90-day period and the envelope in which it is received does not bear a postmark within the 90-day period, the Court has no alternative but to dismiss the case for lack of jurisdiction.

Very truly yours,

Charles S. Casazza
Charles S. Casazza
Clerk of the Court

Enclosure

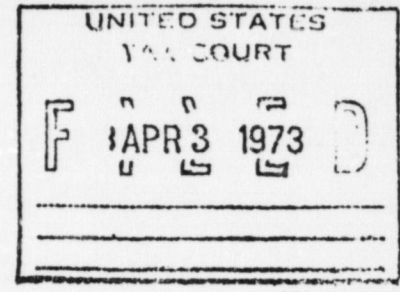
NOTE



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JUN 14 1973
A. Bamond Jr.
PAGE
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EXHIBIT NO. 4

UNITED STATES TAX COURT



ANTHONY BAMOND, JR.

Petitioner

v.

COMMISSIONER OF INTERNAL REVENUE

Respondent

Docket No. 847-73

MOTION TO DISMISS FOR LACK OF JURISDICTION

THE RESPONDENT MOVES that the above-entitled case be dismissed for lack of jurisdiction upon the ground that the petition was not filed within the time prescribed by the applicable provisions of the Internal Revenue Code of 1954.

IN SUPPORT THEREOF, the respondent respectfully shows unto the Court:

1. The statutory notice of deficiency dated October 19, 1972, upon which notice the above-entitled case is based, was sent to the petitioner at his last known address, P. O. Box 234, South Street, Clintondale, New York 12515 by certified mail on October 19, 1972, as shown by the postmark date stamped on the executed Application for Registration or Certification, United States Post Office Department Form 3877, a copy of which is attached hereto as Exhibit A.

EXHIBIT No. 5

RECEIVED
APR 19 1973
ABOARD-10
PAGE
(4)

2. The 90-day period for timely filing the petition with this Court from said notice of deficiency expired on Wednesday, January 17, 1973, which date was not a legal holiday in the District of Columbia.

3. The petition was filed with the Tax Court on February 1, 1973 which date is 105 days after the mailing of the notice of deficiency.

4. The copy of the petition served upon the respondent bears a notation that the date of the United States postmark stamped on the cover in which the petition was mailed, by certified mail, to the Tax Court is unclear.

5. The petition was not filed with the Court within the time prescribed by sections 6213(a) or 7502 of the Internal Revenue Code of 1954.

WHEREFORE, it is prayed that this motion be granted.

/s/ Lee H. Henkel, Jr. (JEH)

LEE H. HENKEL, JR.
Chief Counsel
Internal Revenue Service

*VOID
NO DATE*

OF COUNSEL:

MARVIN E. HAGEN
Regional Counsel
JOHN O. TANNENBAUM
Attorney
Internal Revenue Service
Post Office Box 9114
J. F. Kennedy Post Office
Boston, Massachusetts 02203

RECEIVED
APR 14 1973
A. L. R. JR.
PACE
(53)

21

Indicate type of mail:

<input type="checkbox"/> Registered	<input type="checkbox"/> Registered
<input type="checkbox"/> C.O.D.	

Dist
Stat

5261

Taxpayers:	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	FILE	DATE	VALUE
302514	Barond, Anthony & Mildred, P.O. Box 234, South St., Clintondale, N.Y. 12690	12210		12515		1970
302521	Christian, Howard, Star Lake, N.Y. 13690	12210				1971
302531	Cuffy, Ruth M., Apt. E-11, 285 Colonic St., Albany, N.Y.	12210				1971
302541	Duffy, Ruth M., Apt. E-11, 285 Colonic St., Albany, N.Y.	12210				1971
302551	Lawler, Matthew W. & Maguerite E., Clinton Hollow Rd., Salt Point, N.Y.	12180		12518		1971
302561	Montello, Caesar & Leona, 1110-5th Ave., Watervliet, N.Y.	12866				1970
302571	Martino, Grace A., 133 Elm St., Saratoga Springs, N.Y.	13669				1971
302581	Corris, Stanley A., 408 Ford Ave., Ogdensburg, N.Y.	12691				1970
302591	Poluse, Rosalie T., 2 Mt. Carmel Place, Poughkeepsie, N.Y.	12010				1971
302601	Perrotta, Ernest, 262 Guy Park Ave., Amsterdam, N.Y.	12550				1970
302611	Perkins, Elighor & Sadie, 228A Grand St., Newburgh, N.Y.	12701		12144		1970
302621	Reilly, Richard F. & Mary E., 123 Lakeview Ave., Rensselaer, N.Y.	12308				1971
302631	Rosamino, Joseph A., A-4 Yates Village, Schenectady, N.Y.	12550				1969
302641	Roy, Joseph, c/o Doyle, 81 West St., Newburgh, N.Y.	10512				1969
302651	Sammut, Victor V., R.D. 4, Carmel, N.Y.	12581				1971
302661	Shultz, Adelbert & Phyllis, Stanfordville, N.Y.	12835				1970
302671	Stone, Rexford S. & Joyce A., 5 Woodward Ave., Warrensburg, N.Y.	12118				1971
302681	Thwaites, Gary L., Round Lake Trailer Park, R.F. 1, Ave. B, Lot 29, Mechanicville, N.Y.	12601				1970
302691	Wattoff, Robert J., Gretna Rd., Poughkeepsie, N.Y.					

• show under "Remarks" each photo page a

U.S. GOVERNMENT PRINTING OFFICE
16-8702-16
U.S. GOVERNMENT PRINTING OFFICE
(Surcharges are not required on international registered mail)
H International

TOTAL NO. OF PIECES READ AT P.O. / 4	POSTMASTER'S OFFICE
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PAGE
(6)

1972 61 27

EXHIBIT No 7

Date of This Notice

MAR. 12, 1973

Identifying Number

070-18-1879

Document Locator Number

14247-041-01203-3

Form Number Tax Period

1040

DEC. 31, 1970

◀ If you inquire about
your account, please
refer to these num-
bers or attach a copy
of this notice.



Department of the Treasury
Internal Revenue
Service Center

22 MS2 ANDOVER, MA 01812

NA 070181879 30 7012 670

1401

ANTHONY & MILDRED BAMOND
PO BOX 234 SOUTH ST
CLINTONDALE NY 12515

STATEMENT OF ADJUSTMENT TO YOUR ACCOUNT

BALANCE DUE ON ACCOUNT BEFORE ADJUSTMENT

\$.00

ADJUSTMENT COMPUTATION

TAX- INCREASE

INTEREST CHARGE

NET ADJUSTMENT

CHARGE

804.85

91.84

896.69

BALANCE DUE

\$896.69

RECEIVED
MARCH 13, 1973
A. Bamond Jr.

EXHIBIT 8

K, M

The letters in the box at the left identify the statements on the back
of this notice that provide further explanations and instructions.

Form 4186 (Rev. 10-71)

PAGE

176

Tax Statement

Dear Taxpayer:

In checking the arithmetic on your income tax return, we had to make corrections for the reasons shown below. The amount you overpaid shown at the right.

MISTAKE IN FIGURING THE AMOUNT OF
TOTAL INCOME SHOWN ON LINE 15.
MISTAKE IN COMPUTING THE TOTAL TAX
SHOWN ON LINE 22.
MISTAKE IN COMPUTING ITEMIZED
DEDUCTIONS, TOTALING THEM, OR BOTH.

RECEIVED
APR 9 1973
A. BERNARD JR.

Total Tax on Return	\$	1,110.00
Correct Tax	\$	1,000.32
Tax Withheld		1,244.75-
Estimated Tax Credits		
Other Credits		
Payments		
Plus Penalty*		
Plus Interest*		
You Overpaid IRS	\$	238.43
Amount being credited to your estimated tax	\$.00
IRS WILL REFUND YOU, if you owe no other taxes	\$	238.43
(Any interest due you will be added)		
*See these items on the back for an explanation of interest or penalty charges.		

APRIL 10 1973

DEAR SIR:-

AS PER ABOVE, PHOTO COPY, PLEASE BE
ADVISED THAT IT WILL BE RESOLVED IN MY
FAVOR, IN THE NEAR FUTURE.

TAKE THE REFUND DUE FOR 1972,
ADD INTEREST & PENALTIES, ATTATCH MY
WAGES, ILLEGALLY AS IN 1970.

THE DAY OF RECOVERY IS YET
TO COME, WITH ADEQUATE COMPENSATION.
YOU HAVE BEEN ADVISED THAT YOU WILL
ACCOUNT FOR YOUR ACTIONS

Antony Bernard L
EXHIBIT-110-9

PAGE





Department of the Treasury
Internal Revenue
Service Center

ANDOVER, MA 01812

49

NA

ANTHONY & MILDRED RAMOND
PO BOX 234 SOUTH ST
CLINTONDALE NY 12515

Date of this notice

APR. 9, 1973

Taxpayer identifying number

070-18-1879

Document locator number

14211-062-19852-3

Form number

1040

Tax period ended

DEC. 31, 1972

If you inquire
about your account
please refer to
these numbers
or attach a copy of
this notice

Dear Taxpayer:

You overpaid the tax reported on the form identified above. So we applied part or all of the overpayment against other taxes you owe. If we owed you interest on your overpayment, part or all of it may also have been applied to your unpaid tax accounts. The total amount applied to unpaid accounts is shown at right. Your unpaid accounts and the amounts applied to each are shown below. (We will send you any remaining balance of \$1.00 or more.)

This notice is for your information. It requires no reply.

Sincerely yours,
Director, Service Center

Your Overpayment to IRS ... \$238.43

Portion of your overpayment applied to unpaid accounts. \$238.43

Interest applied to unpaid accounts. .00

Total amount applied 238.43

Amount IRS will refund to you
(Any interest due you will be added)

.00

Amount applied	Form	Tax period ended
\$238.43	1040	DEC. 31, 1970

Amount applied	Form	Tax period ended

Overpayment
was applied
to these
accounts

Form 4356A
(Rev. 10-70)

RECEIVED
APRIL 10 1973
A. B. RAMOND JR.

EXHIBIT - NO. 10

9
PAGE

**Payment
Overdue**

- According to our records, your tax payment is past due.
- As you know, payment of a tax bill should be made promptly. The tax in question, the tax period, the balance, the penalty, and the interest to date are marked below. If you know the balance as shown here is incorrect because of a recent payment or other adjustment, please pay the correct amount and explain the difference on the back of this notice.

- Make your check or money order payable to Internal Revenue Service, and please be sure to write your social security number on it to insure prompt and proper credit. Then attach a copy of this notice (the one on which you explained any differences). Please send your payment in the next few days. The return envelope is enclosed for your convenience.



**Department of the Treasury
Internal Revenue Service**

ANDOVER, MASS. 01812

Tax Form	Tax Period
1040	12-31-70 316 1401

Social Security No.	Date of This Notice
070-18-1872	04-30-73
Assessment Balance	658.25
Late Payment Penalty	6.85
Interest Accrued	5.99
30-7012	671.10
	Amount Due

ANTHONY & MILDRED BAMOND
PO BOX 234 SOUTH ST
CLINTONDALE NY 12515

NA

DLN 14247-041-01203-3

Date of Payment _____ (Over)

EXHIBIT No 11

PAGE
10

ANTHONY & MILDRED RAMOND
PO BOX 224 SOUTH ST
CLINTONDALE NY 12515

NAME AND ADDRESS (IF NOT CORRECTLY PRINTED PLEASE CHANGE)

N N

Dear Taxpayer:

Although the tax liability shown below was called to your attention, our records show that it has not been paid. The law authorizes filing of Federal tax liens and seizure of property to satisfy tax liabilities. Failure to comply with this request for payment means your property, wages, or other assets may be seized without notice, except as provided in section 6331(d) (1), Internal Revenue Code. To prevent this, please send your payment with this notice immediately in the enclosed envelope or contact us at the address or telephone number shown above.

DLN 14247041201203	UNPAID BALANCE OF ASSESSMENTS	\$	658.26
	INTEREST ACCRUED TO 07 02 73		11.84
	LATE PAYMENT PENALTY 07 02 73		12.52
	30-7012 TOTAL DUE	\$	682.62

PAY THIS AMOUNT

If you made payment, to help us locate it, please send reproduced copies of both sides of your check or complete the form on the back of this notice and return it in the enclosed envelope.

Please make your check or money order payable to INTERNAL REVENUE SERVICE and write on it your employer identification or social security number.

Thank you for your cooperation.

TY D69 (REV. 12-71) PART 1

(OVER)

HERE
WE GO AGAIN
RECEIVED
JUNE 21 1973
A. Ramond Jr

EXHIBIT No. 12

PAGE

Ⓟ



Department of the Treasury
Internal Revenue Service
337 Mill Street
Poughkeepsie N.Y. 12601
District Director

Internal Revenue Service

Date: 7-19-73 In reply refer to:

► Anthony + Mildred Bamond
PO Box 234 South Street
Clintondale N.Y. 12515

Date of This Notice: 7-19-73
Your Identifying No.: 070-18-1879
Tax Form: 1040
Period Ended: 12-31-70
Tax Balance: 658.26
Penalty: 15.35
Interest Accrued: 14.67
Amount Due: 688.28

FINAL NOTICE BEFORE SEIZURE

Although notice and demands have been made for payment of your Federal tax liability shown above, our records indicate you have not paid the amount due.

To avoid seizure action, full payment of the amount due shown above must reach this office within 10 days from the date of this notice. Your check or money order should be made payable to "Internal Revenue Service" and forwarded with this notice in the enclosed envelope.

Otherwise, 10 days after the date of this notice, and with no further notice to you, any salary or wages due you will be levied upon by serving a notice of levy upon your employer. Bank accounts, receivables, commissions or other income, property or rights to property belonging to you may also be seized.

If you have already made recent payment that has not been credited to your account, please get in touch with the office at the address shown below so your account may be corrected.

Very truly yours,

Revenue Officer
Raymond J. Kohl

Enclosure:
Envelope
OFFICE ADDRESS:

INTERNAL REVENUE SERVICE
337 MILL STREET
POUGHKEEPSIE, NEW YORK 12602

EXHIBIT No 13

Form L-31 (Rev. 1-71)

RECEIVED
JUL 20 1973
A. Bamond Jr.
PACE



STATE OF NEW YORK
DEPARTMENT OF AUDIT AND CONTROL
ALBANY

ARTHUR LEVITT
STATE COMPTROLLER

August 15, 1973

IN REPLYING REFER TO
Bureau of Payroll Audit

Office of General Services-Payroll Unit
South Mall Tower Bldg. - 40th Floor
Albany, New York 12223

Attention: Bill Theroux
Payroll Officer

Gentlemen:

Under date of August 14, 1973 service was accepted of a
federal levy against the salary of Anthony Ramond in
the amount of \$ 695.00 Item # 10118

In accordance with federal regulations, the sum of \$ 393.52
will be withheld from the salary of the above named employee
for the payroll period 8/9 - 8/22/73.

Very truly yours,

ARTHUR LEVITT
State Comptroller

By *Vincent J. McArdle*
Director, Machine Auditing

N. LaTour: ehk
cc: Employee
Anthony Ramond
Item # 10118

EXHIBIT No. 14

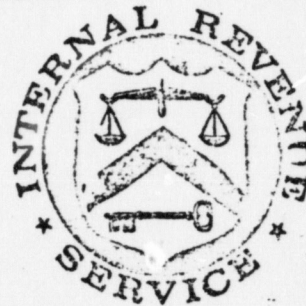
PAGE
13

DATE

NOTICE OF LEVY

July 31, 1973

TO Comptroller, Dept. of Audit Control
State of New York
Alfred E. Smith, State Office Bldg.
Albany, New York 12201



ORIGINATING DISTRICT

Albany, New York

You are hereby notified that there is now due, owing and unpaid to the United States of America from the taxpayer whose name appears below the sum of **\$ 695.00**

KIND OF TAX	TAX PERIOD ENDED	DATE OF ASSESSMENT	IDENTIFYING NO.	UNPAID BALANCE OF ASSESSMENT	STATUTORY ADDITIONS	TOTAL
1040 1-05 29-118	12-31-70	03-12-71 2-574-5-2 N. 393-52	070-18-1879	\$ 658.26 8/2 - 8/15/73	\$ 30.74 6.00	\$ 695.00 393-52

TOTAL AMOUNT DUE

695.00

You are further notified that demand has been made for the amount set forth herein upon the taxpayer who has neglected or refused to pay, and that such amount is still due, owing, and unpaid from this taxpayer. Accordingly, you are further notified that all property, rights to property, moneys, credits, and bank deposits now in your possession and belonging to this taxpayer (or with respect to which you are obligated) and all sums of money or other obligations owing from you to this taxpayer, or on which there is a lien provided under Chapter 64, Internal Revenue Code of 1954, are hereby levied upon and seized for satisfaction of the aforesaid tax, together with all additions provided by law, and demand is hereby made upon you for the amount necessary to satisfy the liability set forth herein, or for such lesser sum as you may be indebted to him, to be applied as a payment on his tax liability. Checks or money orders should be made payable to "Internal Revenue Service".

SIGNATURE *[Signature]* TITLE Revenue Officer ADDRESS (CITY AND STATE) 337 Mill St., Poughkeepsie, NY 12601

EXHIBIT NO. 15

(Name and Address of Taxpayer)

Anthony Bonard, SS# 070-18-1879
(Anthony & Mildred Bonard)
South Street, P. O. Box 234
Clintondale, New York 12515

Employed: NYS Dept. Public Works Div. of Architecture

CERTIFICATE OF SERVICE

I hereby certify that this levy was served by delivering a copy of this notice of levy to the person named below.

NAME

TITLE

DATE AND TIME

8/14/73

SIGNATURE OF REVENUE OFFICER

VOID - NOT SIGNED

Address any reply to:

Department of the Treasury
INTERNAL REVENUE SERVICE
937 MILL STREET
POUGHKEEPSIE, NEW YORK 12602

District Director
Internal Revenue Service

Date:

10-23-73

In reply refer to:



ANTHONY & MILDRED B. GARDIN
PO BOX 234, SOUTH ST.
CLINTONDALE, N.Y. 12515

Date of This Notice: 10-23-73
Your Identifying No.: 070-18-1879
Tax Form: 1040
Period Ended: 12-31-70
Tax Balance: 264.74
Penalty: 19.91 + 6.00
Interest Accrued: 12.83
Amount Due: 309.48

FINAL NOTICE BEFORE SEIZURE

Although notice and demands have been made for payment of your Federal tax liability shown above, our records indicate you have not paid the amount due.

To avoid seizure action, full payment of the amount due shown above must reach this office within 10 days from the date of this notice. Your check or money order should be made payable to "Internal Revenue Service" and forwarded with this notice in the enclosed envelope.

Otherwise, 10 days after the date of this notice, and with no further notice to you, we will have no alternative but to enforce collection as provided by law. Seizure will be made of wages, salaries, commissions, or other income due you. Bank accounts, receivables, or other property or rights to property belonging to you may also be seized.

If you have already made recent payment that has not been credited to your account, please get in touch with the office at the address shown below so your account may be corrected.

Very truly yours,

Raymond J. Hill
Revenue Officer

Enclosure:

Envelope

OFFICE ADDRESS: INTERNAL REVENUE SERVICE
937 MILL STREET
POUGHKEEPSIE, NEW YORK 12602

Form L-31 (Rev. 4-70)

EXHIBIT-NO-16

PAGE

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STATE OF NEW YORK
DEPARTMENT OF AUDIT AND CONTROL
ALBANY

ARTHUR LEVITT
STATE COMPTROLLER

November 13, 1973

IN REPLYING REFER TO
Bureau of Payroll Audit

Office of General Services-Payroll Unit
South Mall Tower Bldg. - 40th Floor
Albany, New York 12223

Attention: Bill Theroux
Payroll Officer

Gentlemen:

We are enclosing herewith checks issued to employees listed below less deductions made to comply with service of Levies by the Director of Internal Revenue:

<u>Check No.</u>	<u>Name</u>	<u>Amount</u>	<u>Period</u>
	Anthony Ramond	\$ 166.37	11/1 - 11/14/73
	Item # 10118		

Very truly yours,

ARTHUR LEVITT
State Comptroller

By *Vincent J. McQuill*
Director, Machine Auditing

*Received
November 16, 1973
A. Ramond Jr.*

PAGE

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EXHIBIT. NO. 17

DATE

November 9, 1973

NOTICE OF LEVY

TO Comptroller, Dept. of Audit Control
State of New York
Alfred E. Smith State Office Bldg.
Albany, N. Y., 12201



ORIGINATING DISTRICT

Albany, New York

You are hereby notified that there is now due, owing and unpaid to the United States of America from the taxpayer whose name appears below the sum of \$ 310.64

KIND OF TAX	TAX PERIOD ENDED	DATE OF ASSESSMENT	IDENTIFYING NO.	UNPAID BALANCE OF ASSESSMENT	STATUTORY ADDITIONS	TOTAL
1040	12-31-70	03-12-71	070-18-1879	264.74	39.90	310.64
01-05	g.-	514.54			6.00	
10118	N.-	419.07		11/1-	11/14/73	357.25
TOTAL AMOUNT DUE						310.64

You are further notified that demand has been made for the amount set forth herein upon the taxpayer who has neglected or refused to pay, and that such amount is still due, owing, and unpaid from this taxpayer. Accordingly, you are further notified that all property, rights to property, moneys, credits, and bank deposits now in your possession and belonging to this taxpayer (or with respect to which you are obligated) and all sums of money or other obligations owing from you to this taxpayer, or on which there is a lien provided under Chapter 64, Internal Revenue Code of 1954, are hereby levied upon and seized for satisfaction of the aforesaid tax, together with all additions provided by law, and demand is hereby made upon you for the amount necessary to satisfy the liability set forth herein, or for such lesser sum as you may be indebted to him, to be applied as a payment on his tax liability. Checks or money orders should be made payable to "Internal Revenue Service".

SIGNATURE *[Signature]* TITLE Revenue Officer ADDRESS (CITY AND STATE) 337 Mill St., Poughkeepsie, NY, 12601

(Name and Address of Taxpayer)

Anthony Ramond, SS No. 070-18-1879
(Anthony & Mildred Ramond)
South Street, P. O. Box 234
Clintondale, New York, 12515

CERTIFICATE OF SERVICE

I hereby certify that this levy was served by delivering a copy of this notice of levy to the person named below. NOT SO

NAME

WHO?

TITLE

11/7/73

DATE AND TIME

1:16

VOID - NOT SIGNED

Item No. 10100, Taxpayer may be employed NYS Dept. of Public Works Div. of Architecture
PART 3 - TO BE FURNISHED TO TAXPAYER FORM 668-A (REV. 10-71)

EXHIBIT No. 12

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PAGE



CLERK OF THE COURT

UNITED STATES TAX COURT
WASHINGTON

September 19, 1973

Mr. Anthony Bamond, Jr.
P. O. Box 234
South Street
Clintondale, New York 12515

In re: Docket 847-73 S

Dear Mr. Bamond:

This is in response to the folder which you transmitted to the Court and which was received today in which you request that that folder be put in this case.

Please be advised that the transmitted folder has been placed in the Court's correspondence file for this case and no action is being taken in connection therewith.

The Court's record reflects that this case was dismissed for lack of jurisdiction on June 14, 1973. That order became final on September 12, 1973.

Very truly yours,

Charles S. Casazza
Clerk of the Court

By Francis J. Cantrel
Francis J. Cantrel
Assistant Clerk of the Court

FJC/dtc

Rec
SEP 19 1973
A. Bamond Jr

EXHIBIT NO. 19

PAGE

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Address any reply to:

Department of the Treasury



District Director
Internal Revenue Service

Date:

In reply refer to:

January 7, 1974

Anthony & Mildred Barond
PO Box 234 Smith Street
Olivetown, N.Y. 12515

Date of This Notice: January 7, 1974
Your Identifying No.: 270-18-1379

Tax Form: 1040
Period Ended: 12-31-70
Tax Balance: 7.49
Penalty: 19.91
Interest Accrued: 19.04
Amount Due: 46.49 + 6.00 Lien Fee

52.49

FINAL NOTICE BEFORE SEIZURE

Although notice and demands have been made for payment of your Federal tax liability shown above, our records indicate you have not paid the amount due.

To avoid seizure action, full payment of the amount due shown above must reach this office within 10 days from the date of this notice. Your check or money order should be made payable to "Internal Revenue Service" and forwarded with this notice in the enclosed envelope.

Otherwise, 10 days after the date of this notice, and with no further notice to you, we will have no alternative but to enforce collection as provided by law. Seizure will be made of wages, salaries, commissions, or other income due you. Bank accounts, receivables, or other property or rights to property belonging to you may also be seized.

If you have already made recent payment that has not been credited to your account, please get in touch with the office at the address shown below so your account may be corrected.

Very truly yours,

Raymond J. Barond Jr.
Revenue Officer

Enclosure:
Envelope
OFFICE ADDRESS:

RECEIVED
January 10, 1974
A. Barond Jr.

Form L-31 (Rev. 4-70)

EXHIBIT NO. 20

PAGE 19



STATE OF NEW YORK
DEPARTMENT OF AUDIT AND CONTROL
ALBANY

ARTHUR LEVITT
STATE COMPTROLLER

February 5, 1974

IN REPLYING REFER TO
Bureau of Payroll Audit

Office of General Services-Payroll Unit
South Mall Tower Building - 40th Floor
Albany, New York 12223

Attention: Bill Theroux
Payroll Officer

Gentlemen:

We are enclosing herewith checks issued to employees listed below less deductions made to comply with service of Levies by the Director of Internal Revenue:

<u>Check No.</u>	<u>Name</u>	<u>Amount</u>	<u>Period</u>
00571661	Anthony Bamond	\$ 343.03	1/24 - 2/6/74
00002215	Item # 10118		

FEB. 13. 1974
PLEASE SEND ME MY COPY OF
THIS UNLAWFUL LEVY. THANK YOU
A. Bamond Jr

Anthony Bamond, Jr.
P.O. Box 234
Clintondale, New York 12515

V. M. J. McNeill
Director, Machine Auditing

RECEIVED
FEBRUARY 9. 1974
A. Bamond Jr.
PAGE

EXHIBIT No-202

(20)

DATE

NOTICE OF LEVY

January 21, 1974

TO

Comptroller
Dept. of Audit Control
State of New York
Alfred E Smith State Office Bldg.
Albany, New York 12201



ORIGINATING DISTRICT
Albany, New York

You are hereby notified that there is now due, owing and unpaid to the United States of America from the taxpayer whose name appears below the sum of \$ 52.49

KIND OF TAX	TAX PERIOD ENDED	DATE OF ASSESSMENT	IDENTIFYING NO.	UNPAID BALANCE OF ASSESSMENT	STATUTORY ADDITIONS	TOTAL
1040	12-31-70	03-12-71	070-18-1879	\$ 7.49	\$ 45.00	\$ 52.49
01-05	4	514.54				
10118	N	393.52				
TOTAL AMOUNT DUE						52.49

(36) You are further notified that demand has been made for the amount set forth herein upon the taxpayer who has neglected or refused to pay, and that such amount is still due, owing, and unpaid from this taxpayer. Accordingly, you are further notified that all property, rights to property, moneys, credits, and bank deposits now in your possession and belonging to this taxpayer (or with respect to which you are obligated) and all sums of money or other obligations owing from you to this taxpayer, or on which there is a lien provided under Chapter 64, Internal Revenue Code of 1954, are hereby levied upon and seized for satisfaction of the aforesaid tax, together with all additions provided by law, and demand is hereby made upon you for the amount necessary to satisfy the liability set forth herein, or for such lesser sum as you may be indebted to him, to be applied as a payment on his tax liability. Checks or money orders should be made payable to "Internal Revenue Service".

SIGNATURE

TITLE

ADDRESS (CITY AND STATE)

Revenue officer

337 Mill Street, Poughkeepsie NY

(Name and Address of Taxpayer)

Anthony Bamond SS No. 070-18-1879
(Anthony & Mildred Bamond)
South Street, P. O. Box 234
Clintondale, New York 12515

CERTIFICATE OF SERVICE

I hereby certify that this levy was served by delivering a copy of this notice of levy to the person named below.

NAME

TITLE

DATE AND TIME

SIGNATURE OF REVENUE OFFICER

PART 2 - TO BE RETAINED BY ADDRESSEE

FORM 668-A (REV. 10-71)

EXHIBIT NO. 206

PAGE
(21)

Claim

Director's Stamp
(Date received)

1970

The Internal Revenue Service will indicate in the block below the kind of claim filed, and fill in where required.

- ☒ Refund of Taxes Illegally, Erroneously, or Excessively Collected.
☐ Refund of Amount Paid for Stamps Unused, or Used in Error or Excess.
☐ Abatement of Tax Assessed (not applicable to income, estate or gift taxes).

Please print or type
Name of taxpayer or purch **070-18-1879 099-14-5279**
Anthony & Mildred BAMOND
Number and street **P.O.Box 234, South Street**
Clintondale, New York
City or town, State, and ZIP **12515**

Fill in applicable items—Use attachments if necessary

a. Your social security number _____ Wife's number, if joint return _____ b. Employer identification number (if any) _____
c. Internal Revenue Service office where return (if any) was filed
Andover, Mass. 01810
d. Name and address shown on return, if different from above _____

e. Period for tax reported on annual basis, prepare separate form for each taxable year
From **Jan 1, 1970** to **Dec 31, 1970** f. Kind of tax **Income Tax**
g. Amount of assessment **\$ 896.69+Interest** Dates of payment **Illegal Seizures & Levies**
h. Date stamps were purchased from Government _____ i. Amount to be refunded (If income tax, complete computation below) **\$ 1,268.88+Interest** j. Amount to be abated (not applicable to income, estate, or gift taxes) \$ _____

k. The claimant believes that this claim should be allowed for the following reasons:

31
*Taxpayer was sent Letter of Deficiency, Dated October 19, 1972 for deficiency, certified mail No. 30251.
Taxpayers, 2nd request sent to: District Director, IRS Cert No. 108465
Audit Review Staff
P. O. Box 1387
Albany, New York 12201
*No answer to that request: Result denied due process as per Amdts I, V, VI of the Constitution of the United States of America.
XIV Computation of Income Tax Refund

	Income Tax
1 Tax withheld	\$ 1,179.00
2 Estimated tax paid ILLEGAL SEIZURES (1972 Tax Refund)	238.43
3 Tax paid with original return	0.00
4 Any additional income tax paid ILLEGAL LEVIES (From wages)	603.26
5 Total tax paid (add lines 1-4)	2,020.98
6 Less: Your computation of correct tax	173.10
7 Amount of overpayment	1,847.88
8 Amount previously refunded	579.00
9 Net overpayment (enter in item i above)	\$ 1,268.00

Under penalties of perjury, I declare that I have examined this claim, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Signed **Anthony Bamond**
Mildred Bamond
Dated **June 27** 19 **74**

See instructions on reverse.

Form 843 (Rev. 7-73)

EXHIBIT No. 21

PALE
22

Claim

1972

Director's Stamp
(Date received)

The Internal Revenue Service will indicate in the block below the kind of claim filed, and fill in, where required.

- ☐ Refund of Taxes Illegally, Erroneously, or Excessively Collected.
☐ Refund of Amount Paid for Stamps Unused, or Used in Error or Excess.
☐ Abatement of Tax Assessed (not applicable to income, estate or gift taxes).

Name of taxpayer or pur **070-18-1879 099-14-5279**
Number and street **Anthony & Mildred BAMOND**
City or town, State, and **P.O.Box 234 South Street**
Clintondale, N. Y. 12515

Fill in applicable items—Use attachments if necessary

a. Your social security number Wife's number, if joint return b. Employer identification number (if any)

c. Internal Revenue Service office where return (if any) was filed

Andover, Mass. 01810

d. Name and address shown on return, if different from above

e. Period—If for tax reported on annual basis, prepare separate form for each taxable year
From **Jan 1, 1972** to **Dec 31, 1972** f. Kind of tax **Income Tax**

g. Amount of assessment **\$ - 0 -** Dates of payment **No Action on excessive withholding**

h. Date stamps were purchased from Government i. Amount to be refunded (If income tax, complete computation below) **\$ 266.62 + Interest** j. Amount to be abated (not applicable to income, estate, or gift taxes) **\$**

k. The claimant believes that this claim should be allowed for the following reasons:

***Illegal seizure of 1972 tax refund of \$ 238.43 on April 9, 1973, Sent IRS Center**

**P.O. Box 6000
Andover, Mass, 01810 Certified Mail No. 884276
No answer to date:**

***Denied due process as per Amendments Nos I,V,VI^{XIV} of the Constitution of the United States of America. ^**

Computation of Income Tax Refund

	Income Tax
1 Tax withheld	\$ 1,244.75
2 Estimated tax paid	00
3 Tax paid with original return	00
4 Any additional income tax paid	00
5 Total tax paid (add lines 1-4)	1,244.75
6 Less: Your computation of correct tax	739.70
7 Amount of overpayment	505.05
8 Amount previously refunded	238.43
9 Net overpayment (enter in item 1 above)	266.62

Under penalties of perjury, I declare that I have examined this claim, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Signed

Anthony Bamond
Mildred Bamond

Dated

Jun 27,

19

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See instructions on reverse.

Form 843 PAGE 731

EXHIBIT NO. 21a

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CERTIFIED MAIL No. 985696

March 13, 1975

UNITED STATES COURT OF APPEALS
SECOND CIRCUIT
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK, NEW YORK 10007

re: Anthony Bamond Jr.....

-V-

Solicitor General, Department
of Justice....
Docket No. 75-7148
Calendar No. 893

Clerk of the Court
Mr. A. Daniel Fusaro

Sir:

We mailed the following briefs, with Exhibits, this date to:

~~CERTIFIED MAIL No. TWO COPIES~~ *NO FUNDS* SOLICITOR GENERAL, Dept of Justice
Washington, D. C. 20530

~~CERTIFIED MAIL No. ONE COPY~~ *NO FUNDS* COMMISSION OF INTERNAL REVENUE
Washington, D. C. 20224

~~CERTIFIED MAIL No. ONE COPY~~ *NO FUNDS* UNITED STATES ATTORNEY for the
SOUTHERN DISTRICT OF NEW YORK
U.S. Courthouse-Foley Square
New York, New York 10007

Very truly yours

Anthony Bamond Jr.
Anthony Bamond Jr.
P. O. Box 234, South Street
Clintondale, New York 12515
UNLISTED phone (914) 883-6344

Enclosures- 1-Original & 5 Copies of Briefs + Exhibits.

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OF APPEALS*

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OTHERS - G. Bamond